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MAY 30 1917

BIENNIAL MESSAGE

OF

GEORGE W. CLARKE

GOVERNOR OF IOWA

TO THE

Thirty-Seventh General Assembly In Joint Session

DES MOINES, JANUARY 9, 1917.

PUBLISHED BY
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GOVERNOR'S BIENNIAL MESSAGE

GEORGE W. CLARKE

To the Senate and House of Representatives of the Thirty-Seventh General Assembly:

It would not be possible for me to more fully comply with the constitutional mandate laid upon me to communicate to you "The condition of the State" than to refer you to the exhaustive reports of all of the departments and commissions of the State government. These and the budget, submitted this year for the first time, contain absolutely everything that will throw any light on the question and they will illuminate it for every candid, investigating mind.

The financial situation for the next biennium so far as it can be reasonably estimated can be succinctly stated as follows:

The taxable value of all property subject to general levies for State and county purposes for the year 1916 was \$957,759,442.00. The amount of moneys and credits returned was \$303,504,592.00. The State received approximately one-thirteenth of the tax levied on this sum. It may be assumed that for the next two years the situation will not be materially changed. According to an opinion expressed by the State Auditor and State Treasury Department there will be little, if any, balance in the general fund on July 1, 1917, the beginning of the next appropriation period.

The estimated receipts of the general revenue for the two years beginning July 1, 1917, and ending June 30, 1919, are \$13,721,400.00.

The estimated expenditures for the period beginning July 1, 1917, and ending June 30, 1919, are \$12,803,660.00.

Excess of receipts over expenditures, \$917,740.00.

This balance will, of course, be understood as remaining after estimated expenditures for the next biennium are paid. Good business requires that a large portion of this sum remain in the treasury as a working balance. You should provide such a condition as would not permit the exhaustion of the treasury at any time. If you provide for any additional expenditures above the balance above stated, after leaving a reasonable treasury balance, you will, of course, have to provide for additional revenue. You should also make your appropriations available at such times as the treasury

is in receipt of funds and not create demands that may be made upon it at any time of the year. I suggest that you consult the treasurer and auditor about this matter as it is very important.

THE BUDGET.

The statute provides that for the purpose of preparing a budget the departments and commissions must submit statements by the 15th of November. This does not give time enough for a careful study and preparation of a budget. A day should be fixed much earlier. Besides, it is almost impossible for the Governor to work out satisfactory statements and estimates. In other states this whole matter is submitted to experts for preparation and submission to the Governor. I suggest that you amend the law by creating a budget committee to be composed, perhaps, of the chief clerk in the revenue department in the Auditor's office, the State Accountant and the Secretary of the Executive Council and that the budget be required to be printed and submitted to the Governor for his examination and study by December first prior to the meeting of the General Assembly. This year, because of the delay of reports, it could not be had prior to five days before the opening of the session, and therefore careful consideration has been impossible. I desire here to acknowledge the great assistance of Mr. W. H. Williams, Chief Clerk in the revenue department in the Auditor's office, Mr. Frank H. Paul, State Accountant and Mr. Ora Williams, Document Editor. To these officials is due the real credit for the preparation of the budget.

There has been abstracted for your easy reference and study and printed as a part of the budget a brief statement of increases and changes in appropriations asked for in the different departments. You will observe that there is quite a general request for increases of salaries. The greatest trouble about the salary question is the inequalities that exist. Of two persons holding equally responsible positions and rendering practically equivalent service there may be considerable difference in compensation. This may be due in some measure to the practice of allowing department heads in some cases to fix the compensation. I do not regard this as sound policy. It invites to favoritism. It may be due, to some extent, also, to legislative carelessness. Some salaries are fixed by law, some by joint resolution. In some cases they are paid out of a general appropriation to a department, in others out of the general fund. I recommend as to salaries that you endeavor to equalize them upon some sort of equit-

able, classified basis, that the salaries be fixed and that they be paid out of the general fund. In this readjustment you can determine as well as I as to whether the general level paid should be raised and, as to that, therefore, I make no recommendation, except that I think you should take into consideration the cost of living, especially as applied to those who have families to support.

You will find some continuing annual appropriations are asked for. I very much doubt the wisdom of such appropriations, except, possibly, in undertakings of great magnitude which necessarily would extend over a number of years. As a general proposition I hardly think such appropriations are consistent with the budgetary system that has been adopted. It contemplates that the General Assembly shall provide for the next biennial period and no more. Besides, no one can foresee what contingencies and necessities may arise—conditions which may command large expenditures of funds which large continuing annual appropriations may handicap. It may be laid down as a general truth, also, that such an appropriation will almost certainly be spent. It invites to extravagance. My recommendation is that you provide for the years which are yours and leave to your successors the duty of providing for theirs when they confront, face to face, all the conditions that may then exist.

Some of you may be astounded at the amount of money asked. It is nothing unusual at all. It is quite likely that each department and institution views everything from its standpoint alone and not in its relation to the needs and welfare of the State as a whole. You will not, therefore, be expected, except, possibly in rare instances, to grant any such sums as are asked for. You should, first of all, be careful to provide sufficiently for maintaining all of the State institutions and departments at their present standards of efficiency, and to continue and perfect undertakings already entered upon. After that you should proceed with great care. Always new buildings and extensions are asked for at State institutions. The askings, as a rule, cover the extreme of the desirable. As individuals, many things appeal to us as very desirable, indeed, but conditions, sane living, freedom from excesses, forbid indulgence. It is for you to say in considering these things what the policy of the State under the present abnormal business conditions shall be. You should, in my judgment, cut down these requests by very large amounts, using care, however, that the pruning knife is not used in the wrong place.

The budget, with the abstract of requests for appropriations, increases and changes, so that you are advised at once of exact conditions, ought to enable the appropriations committees to proceed immediately with their work and ought to enable you to do unusually efficient and discriminating work. There can be no excuse now for delay until the end of the session.

PARDONS AND PAROLES.

It is the mandate of the constitution that I shall report to you every case of reprieve, commutation and pardon granted, with the reasons therefor and also all remission of fines and forfeitures. It is hardly practicable to make report in full herein so I content myself with setting out the substance of a separately printed report in full which will appear on your desks.

Upon the question of granting a pardon I have referred eight cases to the Board of Parole for investigation and recommendation. Two of these cases have not yet been reported upon, one was withdrawn by the applicant himself from consideration by the Board, one died while his case was under investigation, in two cases the Board recommended commutation of sentence to fifty years, and in one case recommended suspension of sentence and in one recommended a pardon. All these recommendations by the Board were granted.

Prior to 1915 I referred two applications for pardons to the Board which were not reported upon during my first term of office, but later they reported adversely to granting either of them. I nevertheless granted both.

I also granted a pardon in one indeterminate sentence case on recommendation of the Board and also in one county jail case upon recommendation of the trial judge and the county attorney.

I have granted thirty-five suspensions upon recommendation of the Board, one upon recommendation of the trial judge and one hundred and seventeen from county jails.

I have restored to citizenship forty-six paroled men and, upon recommendation of the Board, two hundred and eighty. There have been eight revocations, thirty-two commutations and eighteen remissions of fines and forfeitures.

THE OFFICE OF BEE INSPECTOR.

The state inspector of bees informed me a year ago that it was his judgment that the work of the office should be reorganized and placed under the direction of the State College. In his last

annual report he outlines his reasons which seem entirely sufficient. I suggest, therefore, that his recommendations be adopted.

Two years ago I submitted to the legislature that the beekeepers of the state felt that their bees should be taxed. They ask consideration from the state and are willing, as I understand it, to reciprocate by having the exemption removed and assessors directed to list their bees for taxation, thus adding a million dollars to the assessed valuation of property.

CONSOLIDATION.

There are in several departments some overlapping of work and duplication of reports made. This appears, for instance in the department of Industrial Commissioner and Commissioner of Labor, notably with reference to accidental injuries and perhaps in other particulars. In several states these departments are administered under one department head. I suggest the advisability of an examination of the laws of those states for the purpose of determining whether a change could be made in our methods which would promote efficiency or reduce expenditures.

The inspectors under the Food and Dairy Department make inspection of hotels for some purposes. It would seem that while they were at it, their inspection might just as well be for all purposes of inspection required by the law, or, vice versa, the regular hotel inspectors might inspect for all purposes. I hardly see any reason for two corps of inspectors.

Under the county accounting department the examiners visit every county in the state. It is their duty to check up the accounts between the county and city treasurers. No reason is perceived why at the same time (and it would take very little additional time) they should not check up the cities which are under the examination of the State Municipal Department. It is not discoverable that there is any excuse for such a condition. I recommend that you carefully examine into all these matters in the interest of efficiency and economy.

TUBERCULOSIS.

I take this opportunity to commend the campaign which the State Board of Control has carried on against tuberculosis. That great progress has been made is shown not only by the general knowledge which our people have in its prevention, but the decrease of the mortality and incidence of this disease. However,

there is one aspect of this campaign to which I desire to direct particular attention. That of bovine tuberculosis. The tuberculosis cow is responsible for an appreciable amount of tuberculosis, especially among children. It is manifest, therefore, that repressive measures should be established to control, not only the animal herself, but milk and milk products as well. And if the tuberculosis dairy cow, as a source of infection to human beings, were alone considered, it would be sufficient cause for drastic legislative action, but beyond this there is a point of interest of vast economic consequence.

Tuberculosis is a serious threat to the live stock and packing interests of our state. It imposes a heavy tax upon these industries. The following statistics submitted from some of the abattoirs operating in Iowa, are illuminating:

(Exhibit "A."). Total hogs killed in a six months period, 182,049; the live weight was 39,693,840 lbs. Cost \$3,930,512.72. The average price paid per hundred pounds was \$9.90. Of the total number killed, 1.87 per cent were condemned on account of tuberculosis, as unfit for food. The live weight of the condemned animals was 707,485 pounds. The loss of \$51,291.93, or 13 cents per hundred live weight killed.

(Exhibit "B.") 161,334 Iowa hogs killed in the period of one year, of which 25.4 per cent were sent to the retaining rooms, and 2.12 per cent were condemned as unfit for food on account of tuberculosis. This imposed a tax of 32.2 cents per hog, or a loss of 13.32 cents per cwt.

The report of the Bureau of Animal Industry of the Federal government, discloses a most disquieting situation. For the year ending June 30, 1916, a total of 285,605 cattle were slaughtered by Iowa plants where federal meat inspection is maintained. Of the 285,605 killed, 11,099 carcasses were retained on account of tuberculosis. Of this number 1,584 carcasses were condemned as unfit for food on account of tuberculosis. In other words, tuberculosis imposed a toll of about 1 per cent of the total number of cattle slaughtered in Iowa. For the same period, the report shows a total of 2,843,794 swine slaughtered. Of this number, 426,678 were retained on account of tuberculosis. Of the 426,678 retained, 8,973, or 2.1 per cent, were condemned as unfit for food on account of tuberculosis.

There were, January 1, 1916, 9,069,000 swine in Iowa. It is apparent that not one-fourth of Iowa hogs slaughtered are packed by Iowa industries. The surplus hogs are shipped largely to Chicago, Sioux City, Omaha, St. Louis and eastern markets, and possibly it may be only a question of time when the entire packing business of the nation will discriminate against the Iowa hog. Already tuberculosis is imposing a tax of 13 cents per hundred pounds on Iowa hogs, over \$2,000,000.00 annually.

January 1, 1916, there were 4,128,000 head of cattle in Iowa, of which number 1,391,000 were milk cows. The federal reports show that eight-tenths of one per cent of all the beef cattle slaughtered in Iowa, were condemned on account of tuberculosis, as unfit for food, but no one imagines the extent of this disease to be that low in dairy and breeding cattle.

It is also demonstrated that the prevalence of tuberculosis in the dairy districts is vastly greater than in other sections of the state. Tuberculosis cattle transmit the disease to the swine. If the control of tuberculosis in dairy and breeding cattle is established by the state the problem may be considered to be in process of solution. The stock and dairy interests of our state are of great importance, and the approach to this question involves not only the bovine itself, but dairy products as well. It is not wise for an intelligent people to tolerate so great a financial drain, or to subject her people to the imminent perils of the tuberculosis cow.

I recommend that legislation be devised by which to control this increasingly serious situation in our state. Three main points may be suggestive. The testing with tuberculin of all dairy and pure bred cattle, partial compensation to owners of all condemned animals, and the ownership by the state of all animals so condemned. I am informed that the Federal government will divide the responsibility with the state of Iowa, and will co-operate in any progress devised to eradicate tuberculosis.

RECOMMENDATIONS HERETOFORE MADE.

Some recommendations I have heretofore made I desire to repeat. I repeat them because I thoroughly believe they should be adopted. Of nothing whatever am I more thoroughly convinced than that from whatever standpoint it may be viewed the house of representatives and the senate of this State ought each to be

reduced in numbers one-half. I doubt very much if there could be found anywhere any argument in support of such numbers in State legislative bodies by anyone of commanding ability or by a recognized student of State governments. I sincerely hope you will not carelessly pass this suggestion by but that you will give it most sincere consideration. Rising above all considerations of self, of political preferment, come to the question as if it were an original one in Iowa government. Let it be provided in a proposed amendment to the constitution, in a proper form, that it shall be in force and effect at a time far enough in the future to disturb no one now in office.

I have heretofore recommended that the office of Railroad Commissioner should be appointive. I am more and more convinced of it.

I have urged before that there ought to be created the office of business manager of the affairs of the county. I hardly think that anyone could give a good reason why this should not be done. Thousands of dollars could be saved to the people. His salary would be as nothing compared to his value. A budgetary system could be worked out by him and the business of the county put upon a business basis. Now nobody gives any real attention or any really sincere expenditure of time to county affairs. No genuinely business institution would tolerate such a condition of affairs one day.

As to court procedure: I say again in my judgment the law ought to provide for majority verdicts in civil cases.

The time for taking appeals ought to be reduced. What reason can be given for hanging up a civil or criminal case for six months in which to appeal?

Interminable latitude in the examination of jurors for the trial of a cause should not be permitted. Taking days, sometimes weeks in selecting a jury is ridiculously absurd. The court should be given control of this matter.

On appeal, prejudice should not be presumed and there should be no reversal unless the court could say the jury was probably misled by the error of the court.

If a witness in a criminal case declines to become a witness in his own behalf and explain the facts tending to establish his guilt, counsel should be privileged to comment on that fact to the jury and the law forbidding it should be repealed.

I believe the grand jury should be abolished, the law providing, however, that in exceptional cases of great public interest and con-

cern the District Court should be authorized to convene a grand jury to make investigation.

Two years ago I urged the necessity of establishing a medical department in the State Library and gave what then seemed to me cogent reasons for so doing. I repeat the recommendation and sincerely hope you will not fail to favorably consider a matter of such great importance.

Twice before, for the most part, I have made these recommendations and I respectfully refer you to what was then said in support of them.

IOWA INSURANCE RATING LAW.

This law was enacted by the Thirty-sixth General Assembly. During the first year of its existence it was subjected to much adverse criticism. Much of this has subsided, or at least, is quiescent. However, criticism is still lodged against it and its repeal has been suggested. When the natural conservatism of the human mind and the advantages gained by some, under old methods, are considered this is not surprising. All progress has ever met and ever will meet with such opposition. The importance of this matter to the people of the State, it seems to me, justifies a brief consideration here.

I desire to call your most careful attention to the holding of the Supreme Court of the United States in the case of *The German Alliance Insurance Company vs. Superintendent of Insurance of the State of Kansas*, 233 U. S. 389, because of the clearness and conclusiveness of the discussion by which it determines that the business of insurance is affected with a public interest and that its contracts and rates may be subjected to governmental regulation in the interest of the public welfare. It is put upon exactly the same ground that the regulation of railway, water, light, gas, electricity and public warehouse rates is put, viz: that a business which is of public concern may be regulated in the interest of the public. In enacting the insurance law, then, the legislature, within its province, determined that it was for the common good and the court held that it violated no constitutional provision.

Not only has the law this support in principle but it had almost nationwide consideration of the most careful kind by experts in insurance matters chosen from the supervising officials of ten of the great States of the Union, from New York to Idaho, by the National Convention of Insurance Commissioners from the Insurance Departments of all the States. This committee, so chosen, held meetings in different parts of the country for more than a year at which

there were heard representatives of insurance companies and persons engaged in rate-making. "The economic basis of fire insurance rates, the methods of making rates and the relation between rate-making and other problems of fire insurance," were carefully and exhaustively studied. The recommendations of this committee to the convention after such prolonged study may certainly be said not to contain anything not reasonably mature and sound and not in accord with their honest convictions. It certainly represented what in its judgment was necessary to protect the insuring public and its recommendations are embodied in the Iowa law. The Insurance Commission of Ontario, Canada, refers in its report to this convention as "the most important non-legislating association in the United States so far as insurance matters are concerned," and says "much more than ordinary importance should be attached to their findings," and further says as to the Iowa law that it is believed "it presents a measure more nearly akin to the interests and requirements of the Province than any other" the commissioner has seen. Mr. Herman L. Ekern, former Insurance Commissioner of Wisconsin, and an eminent authority, in an address a few months ago said, "The Iowa law probably reflects most closely the public sentiment of the United States on the regulation of fire insurance rates. Not only did this State follow the recommendations substantially of the convention referred to but so also did Minnesota, Missouri, Oklahoma and Kentucky and, in part, Michigan and Pennsylvania" and Kansas has a like law. The law, therefore, rests upon a sound legal principle, it represents the careful, mature judgment of the most competent men upon the subject under consideration to be found and it has had the legislative approval of eight states. It would seem to rest as to its general features and purposes upon an unshakable foundation. Besides, the State of Iowa should never relinquish the principle of rate regulation of a business affected by a public use as it would do in part by a repeal of this law.

Not only has it all these things to commend it but actual experience also should commend it to every unprejudiced mind. Prior to its enactment rates were merely something to be juggled with by agents, rested upon no scientific basis, embodied no principle of uniformity or equity, some paying more and some less than warranted by the risk. They were simply subjects of dickering between the agent and the insured. The premiums paid on insurance constitute the fund out of which the enormous fire losses of the country

are paid. The people must have insurance but no one should contribute more or less to said fund than his risk would warrant so far as it is reasonably possible to determine. This law provides for rate-making bureaus paid by the companies who, after surveys made and the application of years of observation and experience, establish in the first instance, rates in conformity with the hazard. Classification of risks are made. These are based on such considerations, among others, as kind of building, condition, location, occupancy, and fire fighting facilities available. To illustrate: A town without water protection falls in a higher class rate than one well supplied. Like hazard, like risk. Hence the law contemplates uniformity, equity. There can be no discrimination any more. Just as there can be no discrimination in freight rates or passenger fares any more. Besides, this law tends to reduce fire loss. It stimulates better, safer building, correction of fire danger, better facilities for suppressing fire because these things reduce the hazard and the rate. The law is flexible as between the companies and bureaus and permits variation from bureau rates and thus competition, but there can be no variation except on notice and the whole, bureaus and companies, are under the direct supervision of the Insurance Commissioner. Any person may carry a complaint to him and may appeal from him to the district court. In the beginning of the operation of this law some predicted that millions of dollars more would be taken from the people in premiums. This is only the reception that forward-moving, constructive legislation always receives. The fact is, as shown by the records, that the average rate paid in 1915 was lower than ever before in the history of the State. It is simply the old question of regulating in the interest of the whole people, business which is of public concern and which question it had been thought was settled in Iowa. Certainly the public welfare requires that the law in all its essential features and purposes be retained.

NEW COMPANIES.

A very proper subject for your consideration in connection with insurance is the matter of the regulation and control, so far as can be done, of new companies prior to the time they receive their license and enter upon an actual insurance business. I do not know of any ground for criticism of any company in the promotion stage in Iowa, but in some other States methods have obtained which occasioned the loss of hundreds of thousands of dollars to purchasers of promotion stock. The organization of new companies are on every

hand throughout the country. Capital stock may be sold at two or three for one and such portion of the surplus as may be desired by the promoters appropriated for promotion expenses such as payment of salaries, commissions for sales of stock, rents, equipment, supplies, anything. Sometimes the whole scheme has seemed to be organized for the purpose of fleecing the public. "The Western Underwriter," published in Chicago, in a recent article discussing this question said "the time has arrived when a law should be enacted giving the State Insurance Department regulation over companies in process of promotion" and that such a law should be "one of the earliest to be passed at the next session of the legislature." An Insurance Journal published at Atlanta, Georgia, was at about the same time suggesting the same thing. In this State from the time when the articles of incorporation are filed to the time when license to begin business is granted, the State has no jurisdiction over the company. If it never gets to the point of writing insurance the stockholder has no protection. The insurance laws of this State, in my judgment, are to be very highly commended, except in this omission to place the new company under the jurisdiction of the Insurance Department immediately upon the approval of its articles of incorporation. The law should limit the percentage to be paid on commissions, salaries, etc. It should require that the subscription contract specifically define the proportion which may be used for expenses. It should require that copies of all contracts, advertisements, literature and other papers be filed with the Commissioner and that the promotion of the company in general be under his supervision. This would be some protection to the public while otherwise there is practically none against any one who might conceive the idea of promoting an insurance company. I recommend that the law be so amended. No honest, high-minded organizer and promoter of a company could or would criticise such a provision but rather would commend it as placing insurance upon a high plane and establishing it in the confidence of the people.

THE STATE FIRE MARSHAL.

There is an overlapping, or, at least to some extent, a similarity of work done and results attained in the office of the Fire Marshal and the Department of Insurance. In the matter of fire prevention they are closely related. The rating law is a very potent factor for reducing fire hazards because through its operation the inspection of rated risks in cases of complaint is necessary and because its natural tendency and purpose is to eliminate dangers

from fire and prompt the installation of equipment to prevent fire loss. An inspector, understanding the rating system, could at the same time suggest improvements in the way of reducing both the fire hazard and insurance rates. This service would enlarge that now done from the office of the Fire Marshal and at no greater expense. In fact, it seems to me that the duties of the Fire Marshal naturally belong to the Department of the Insurance Commissioner and should be administered by it. In some States this is done. Considerable money is expended in the way of prosecutions connected with suspicious fires and a question may be raised as to whether it is justified by results. The real value to the people comes through the work of inspection and fire prevention and the reduction of the cost of insurance must depend upon the reduction of the amount of fire waste. I believe it would be to the advantage of both departments and to the State if they were consolidated and I so recommend. The ferreting out of arson cases could and should be a part of the duties of the State Agents.

THE BOARD OF PAROLE.

The law makes it the duty of the Board of Parole to render such assistance as may be necessary to the success of the parole system in procuring employment for paroled prisoners. A large part of the success of the system has been due to the patient, earnest work of the Board in this particular. A sympathetic oversight and constant interest is maintained in the man, resulting in great helpfulness to him as long as he is under parole. He is sustained by the consciousness that the state is interested in his welfare.

During 1916 the Board granted 385 paroles from prison and 27 on the recommendaton of judges and county attorneys. All these men were furnished employment and, so long as under parole, have the care, helpfulness and advice of the Board.

I recommend that the law be amended so that it will require that all paroles granted by judges be to the Board of Parole. Then the paroled man will immediately come under its supervision, a spirit of helpfulness and personal interest will immediately surround him. If, however, he is paroled to some individual, charged with no particular duty toward him, it is often the case that he drifts, little is known of him and little encouragement extended. The work of the Board is so organized that it is ever in communication with him and that to help. For this reason I make this recommendation.

THE GOOD ROADS QUESTION.

The public highway question has been an urgent one for fifteen years, or more. Every session of the legislature has dealt with it to some extent. The law has grown better all the time and there has been constant improvement in the roads, very rapid in the last four or five years. The question will doubtless receive consideration by you. I see no reason why it should not be approached in the unanimous desire to find and do the best thing for the progress and good name of the state. Why should such a question involve bitter feeling? It is unthinkable that any one could be found who does not hold good roads to be very desirable and essential to the economic interests of the state. It is simply a question of methods. All appreciating the inestimable value of a result, shall it fail of attainment because of an unseemly contention about ways and means? Especially should anything of this kind occur when nobody anywhere is proposing to lay an additional burden to the extent of one dollar upon anybody? Should anything of this kind occur when the law already fully provides means for financing all that is desired and hoped for in good roads? Should there be any such result when the application of business methods to the expenditure of funds would save their dissipation and secure them for permanent enjoyment? Should there be any such result when it seems clear that in those communities of the state where the people have gone ahead and built roads, surfaced with gravel after approved plans, that lands have advanced more rapidly in value, and especially where the consolidated school has been added, than in other parts of the state where there has been opposition or refusal to advance? Should a contention about ways and means result in failure to go forward in the face of the testimony of four hundred farmers in letters to the Better Roads Commission of the increased value of land and other advantages where such roads as are proposed in Iowa have been built? Could there really be left anything to contend about when the roads themselves demonstrate the wonderful improvement under the Highway Commission, when 15,000 permanent bridges and culverts speak with eternal voice in approval of methods, when an annual saving to the people of \$4,000,000 is realized by the Commission and when only by the retention of it can the more than two million dollars be secured from the government and when the wisdom and efficiency of the law is appealing

to other states as a model? "Wherefore, seeing that we are compassed about with so great a cloud of witnesses what manner of persons ought we to be?" Have not all movements of mankind toward betterment been opposed? Has not all progress cost something? Is it not the settled conviction of all men that it has been worth infinitely more than it cost?

Nobody, so far as I know, has ever at any time advocated a bonded State indebtedness of any amount to raise money for road construction. What has been suggested is that any county should be allowed, at its option, to anticipate its highway revenues, already provided for, by issuing serial bonds running over a brief period of years and using the money thus secured in a comprehensive and economical sort of way in road construction. This it could thus do and the economy of it would more than cover the interest outlay on the money. This would be doing business in a large way and realizing upon it at once and not in a "gimlety" way with corresponding results. This would be spending your money and having something for it at once. This is the way the business of the world has ever been done by men of energy and foresight and success. It is the way that every county represented here today has built bridges, court houses and school houses. It is the way cities have been built. It is the way the great business of this city, and every other on earth, has been established and developed. But for this principle and method the great railway systems of this country would not have been possible. But for it, many times, a railway could not increase or renew its engines and cars. But for it the great liners would not be plowing the ocean. But for the invocation of this principle of credit the whole Mississippi Valley and the Great West would be a slightly developed land and the life we enjoy impossible. The fact is that the whole vast domain west of the Great River and east of it as well is pledged and has been, since a people endowed with unshakable courage came into it, to the building of a great nation now and enjoying it now in its beneficence and power rather than wait the slow progress of the ox and be chained everlastingly to the life and methods of the prairies and the woods a century ago. The whole thing as it is today is based upon an anticipation of revenues.

A vast majority of the farmers of Iowa, I venture to say, acquired their farms, in whole, or in part, by an anticipation of rev-

enues from them. They paid part down, mortgaged, or bonded, them, in anticipation of what they could be made to produce, and went to work and from the revenues paid off the mortgages and in the meantime owned and enjoyed them for five or ten years, the length of the mortgages. Is there anything alarming in all this? Is there anybody anywhere that has not been benefited or who has not profited by the anticipation of revenues by the great business enterprises of the country? Of course good business judgment and foresight are always to be exercised in anticipating future possibilities but here are the road revenues. Their income is **certain**. No element of chance can intervene. Why fear to apply the principle here, applied everywhere else? Why not authorize townships and counties that desire to do so to proceed in this way? If there is nothing compulsory about it what can be the objection? The highway question is of the greatest importance to the State. It is the opening of a new era in the development of this country. I pray you do not allow any retrogression. Think out carefully and dispassionately whatever you do.

I commend to your careful consideration both the report of the Better Roads Commission and the separate and additional suggestions of Mr. James C. Davis of that commission. These will reach your desks. These gentlemen, at my request, cheerfully served on this commission wholly in the interest of the public welfare and entirely at their own expense. I want in this public way to convey to them my personal appreciation and thanks and I am sure, also, that of disinterested, unselfish citizenship everywhere. In view of their work I need do nothing more than refer to the Federal Aid Act.

The Congress passed an act to provide aid by the United States in the construction of roads. Under this act I have been notified by the Department of Agriculture that there has been apportioned to this state for 1917, the sum of \$146,175.60 and that it is estimated that during the next four years the apportionment will be as follows: For 1918, \$292,351.20; 1919, \$438,526.80; 1920, \$584,702.40; and for 1921, \$730,878.00, or a total in five years of \$2,192,634.00.

The act provides, however, that no money apportioned under it shall be expended in any state until its legislature assents to its provisions, except that until the final adjournment of the first regular session of the legislature held after its passage the assent

of the governor shall be sufficient. On August 12th last I filed with the Department of Agriculture formal assent to the provisions of the act. The question, therefore, as to whether this state will avail itself of these provisions is for you to determine before adjournment. If assent by formal act is given by you it must be understood that the state will make available sufficient funds to match the federal apportionment in its co-operation with the Department of Agriculture in the construction of any roads agreed upon between that Department and the State Highway Department. It is, as I suppose, entirely immaterial from what source the state pledges these funds in advance—whether from direct appropriations or from tax levies already provided for or from funds derived from automobile licenses. There was expended in the state in 1915 for road and bridge construction purposes approximately \$13,525,364.00. A small portion of this would meet all the requirements of the Federal Act. Assuming that the automobile licenses for 1917 and from year to year will aggregate \$2,000,000.00 the Federal apportionment could be secured by pledging a portion of this fund, and, in this way, it seems to me, you should meet the government requirement.

Mr. James C. Davis in his discussion already herein referred to has made such a clear and complete analysis of the duties of the state in order to avail itself of the provisions of the Act of Congress that, with his permission, I embody the same herein and make it a part of my urgent recommendation that you enact such legislation as may be necessary to that end.

He says:

First—Accept the provisions of the act by legislative enactment.

Second—Have a State Highway Commission or State Highway Department.

Third—Have a definite, comprehensive and practicable plan of road improvement covering a five-year period.

Fourth—Such plan as the state may adopt must be submitted for the approval of the Secretary of Agriculture.

Fifth—There must be an agreement between the Secretary of Agriculture and the State Highway Commission as to the character of the proposed road construction.

Sixth—the work must be done, as provided by the state laws, under the supervision of the State Highway Commission.

Seventh—The state must adopt a reasonable plan for the maintenance of roads receiving Federal aid.

THE CAPITOL GROUNDS.

The Executive Council in developing the grounds ordered purchased by the Thirty-fifth General Assembly has proceeded in all respects as directed to do by the law and not otherwise. The law itself submitted a plan and, so far as the work has proceeded, it has followed that plan. The wisdom of the law is revealed in many particulars but in none more than that the development of the grounds was not to be left to haphazard, or diversified notions of succeeding legislatures but to the genius of a world-renowned landscape architect. When the whole is completed and the years have given the growth of grass and flowers and shrubs and trees, interspersed by walks and drives, the far-vision of that legislature, doing a work for all the centuries, will be approved by larger and larger numbers even as it is now. Interference in any respect with the plan is, it seems to me, to mar it. It rests in the mind of the architect as a whole. Each thing in the plan has relation to the whole. Should the untrained, the unskilled take, for instance, the sculptor's work, out of his hands to give it better expression, or should the artist surrender his picture, nearing completion, to the painter of houses to bring out the fine lineaments of the face and put the light in the eyes? Among men and women who have given their lives to the study of landscape art and the relation of buildings to each other and to monuments and of monuments to each other, and who have visited these grounds or examined the plans there is no difference of opinion, all concurring that the plans are artistically correct.

The law was wise in providing funds through a sufficient number of years to perfect the work as planned. It is sincerely to be hoped that no diversion will be ordered until the work is some further years advanced if ever at all. The tax levy ordered per annum is not burdensome, not exceeding four and one-fourth cents per thousand dollars of assessed valuation. May not Iowa become famous for having made one spot out of her millions of acres supremely attractive and beautiful and that at the seat of her government, surrounding splendid buildings, to come in the near and also in distant years, themselves a part of the satisfying whole? The appeal, gentlemen, is to you and those who shall succeed you. The voice is of the present; it is the cry, also, of the future.

A NEW BUILDING AT THE CAPITAL.

A new building on the capitol grounds for the State's business is an imperative necessity. Other buildings may have been needed heretofore at other places and may be now for State purposes but never at any time could there have been a more compelling necessity than exists here at this moment. Every effort has been made by the Executive Council to house the business of the State and it has succeeded in only the most unsatisfactory and inconvenient way. It simply cannot be done any longer. It could not have been done as it is if the State, in extending the grounds, had not bought some buildings, once residences, that could be used. They are not adapted to the uses to which they are put. The Capitol building proper is crowded beyond its capacity. Use for storage purposes is practically everywhere and confusion reigns. The Executive Council has partitioned, made doorways, gone out into the rotunda and disfigured it, as you have observed, until the limit has been reached, indeed, far exceeded. Some of the buildings outside are old, unsuitable, and constantly in danger from fire. For instance, the building occupied by the Dairy and Food Commissioner is an old dilapidated flat. The State Architect, reporting upon its condition, says it may justly be called a "fire-trap." The two old hot air furnaces are a "source of danger." "The plastering is old and much of it is ready to fall at any time if the building or floors are suddenly jarred, as when packages are moved or dropped." "The outer walls are badly cracked in all fronts" and "the structure, as a whole, is in bad condition." And yet the equipment and fixtures used in the building are conservatively valued at \$15,000.00. Much the same could be said of the buildings north of the Capitol occupied by the State.

The great law and reference library in this building, hardly surpassed anywhere, worth half a million dollars, is, in the upper galleries, disintegrating in the extremely dry heat that necessarily prevails under such conditons. It is almost criminal recklessness to continue such a situation.

Nobody calls in question the great need, but something of a controversy has arisen as to whether the new building should be known as an "Office Building" or a "Judiciary Building or Temple of Justice." Into this discussion I shall not enter. I shall only say that this General Assembly will greatly fail of its duty if it does not provide for a new building here, or the commencement of one at the earliest possible day.

THE DIRECT PRIMARY.

The nomination of candidates for public office in this State by a primary election has been in vogue for a period of ten years—a long enough time to give its efficiency and adaptability to the purposes designed by its advocates a reasonable test. Results from the beginning have not been entirely satisfactory. Changes from time to time have been made in the hope of making it an approved instrument of popular government. No improvement has been perceived. It seems to have been continually losing ground in the minds of thoughtful men sincerely interested in good government. To test the public mind of the state on the subject I some weeks ago sent out quite a large number of letters to men of all parties and former factions asking whether they were satisfied with the law, not simply in theory, but in its practical application, and if not, why, and whether they would recommend a change, and if so in what particulars. Almost all responded and not one said he was entirely satisfied. All but two or three expressed thorough dissatisfaction and disappointment. Nearly all recommended very radical changes, many denounced it as subversive of representative government and favored its repeal. Many of those who were its staunchest advocates in the beginning and who were in considerable measure responsible for its enactment were as severe in their criticism of results as many of those who never regarded it with favor.

A wave of popular discontent, which swept over the country something like a decade ago and had a very substantial foundation, occasioned much legislation in many States based upon the thought that the people should participate more directly in matters of government, going to the extent in some states of enacting provisions which might practically abdicate the functions of the legislature. This was thought to be demanded by the exigency of the time and entirely justifiable in a democracy. This whole matter opens a very interesting field for study and discussion which, of course, cannot be entered upon here, inviting as it is. It must suffice to say that ours is not a pure democracy. We have a democratic republic. James Madison, referring to this question in the *Federalist*, said: "Such democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives, as they have

been violent in their deaths.” Further he said: “By a republic I mean a government in which the scheme of representation takes place. The two great points of difference between a democracy and a republic are, first, the delegation of the government, in the latter, to a small number of citizens elected by the rest; secondly, the greater number of citizens and greater sphere of country over which the latter may be extended.” I suppose, however, a republic might extend over any extent of territory. But a pure democracy is clearly incompatible with such a vast extent of country as the United States. To my mind it is just as clearly impossible of ultimate success in a continued high order of government in a state such as Iowa, with a population of 2,358,066 people, containing more than 684,000 entitled to vote. It was clearly possible in New England colonial town meetings. It is still successful in such ventures. Switzerland is often referred to, but Iowa is three and a half times as large as Switzerland. Besides, Switzerland is divided into twenty-five cantons, each sovereign and each but little larger than one Iowa county. In the canton of Zurich, next to the largest in population in the confederation and probably the most intelligent, in ninety-two successive instances of measures submitted by referendum to the people only 77%, on an average, of the total vote was cast and of this 20% was invalid or blanks, leaving only 57% valid votes cast and 23% per cent of the voters not voting at all. Of the votes cast one-fourth of them were cast by persons who either felt they were not well enough informed to vote, or, in general, they were lacking in intelligence, and 23% had not interest enough to vote at all. Therefore, the issues in these cases were determined by a majority of the 50% voting or, doubtless, by a small minority of the voters of the canton. This was the result in a unit of government but little larger than an Iowa county. This manifests the want of interest and intelligent grasp of the questions involved by reason of failure and even impossibility of the people informing themselves. This may easily result in government by a minority. This is the result in the best and longest tried democracy and this ever has been and ever will be the result. It is simply impossible to ultimate otherwise. I cannot but reach the conclusion that those who see in our primary laws a tendency toward the destruction of the representative principle upon which this government was built are right. They lead away from the moor-

ings cast by the fathers and, in this, we may well pause. It was Lord Chatham, one of the most profound statesmen in English history, who said of them, "For solidity of reason, force of sagacity and wisdom of conclusion under a complication of difficult circumstances no nation or body of men can stand in preference," and that estimate for more than one hundred and twenty-five years of our experience as a democratic republic, has stood unchallenged as the judgment of all the earth. They were the representatives of the people laying the foundations of a republic in a new world. They were ordaining a constitution that was to forever protect the people against themselves, that was to be the fortress of protection for the minority. As representatives they said, "We the people of the United States * * * do ordain and establish this constitution." But if it had gone, on a referendum, to the people we know now and they knew then that it never would have been adopted and we never should have had that great instrument.

As to the further practical operation of the primary laws it may be said that nobody is responsible for results. Nobody nominates candidates for public office. They select themselves. The question of fitness is not discussed and passed upon by anybody. They are found in the field. Multiplied thousands of voters know nothing about their qualifications and do not and cannot take the time to investigate. If they could, to whom could they go? To everybody only. And everybody is nobody. The voter simply ratifies the candidate's selection of himself. He has nothing to do with selecting the agents of his government. The most intelligent voter does not know how to mark his ballot below the head of the ticket. It is manifest that it would be better if candidates were selected by representatives chosen by the people in small units of government. Then there could be some canvass as to fitness. Then responsibility could be located. Then the people would indeed select their candidates. That would be democratic. It is not democratic where the voter expresses no opinion as to nearly the whole of the ticket he casts. He makes no selection. He votes blindly. He simply makes a thrust in the dark. Why insist that he wait until he is twenty-one years of age before he does this? He could do it as well at fourteen. Or why insist that the voter be a male? A sixteen-year-old girl could make a stab at the field with just as much certainty of impaling the best man. That it is

mostly a chance, a lottery, was humiliatingly admitted when the legislature ordered a rotation of the names on the ballot. That it could be nothing else was conclusively demonstrated when no better results followed. There could not possibly be a greater delusion than that a repeal of the primary laws would deprive the people of their power of direct participation in their government. The fact is that the primary prevents that very thing. The people cannot proceed with the greatest efficiency, precision and intelligence by multitudes. All experience establishes with unshakable certainty this fact, not only in government but in business and every other department of life where large issues are involved. This principle is recognized and acted upon everywhere else but in government where it ought to obtain with greatest force.

When this new plan and departure from the original plan and structure of our government is carefully thought out, it seems to me, if I am not thinking crookedly, that it does not afford security against misgovernment; that its tendency is not beneficent; that it is constantly toward mediocrity; that it will grow more inefficient and unsatisfactory with the passing years; that self-government, genuine, orderly, capable government by the people, will be lost amidst the shoutings and confusion of the multitude about an array of self-selected, self-imposed candidates. The thought of the office seeking the man, an ideal once cherished, has already perished and is held in contemptuous derision. Discussion and deliberation as to party policy and candidates are not possible at the polls—not possible where the electors number hundreds of thousands. The people may in fact be left without any potential voice in the destiny of their country or themselves. There may be nobody on board capable of navigating the ship especially in the violence of a storm. In a great emergency—and we cannot conclude it will never arise—could there be any certainty, under the primary system, that a great, strong, forceful man, lost in his devotion to his country, its inspiring traditions and his belief in its great destiny could be chosen? The primary tends to exclude the best, most unselfish and capable men. The rule is that they will not undergo the methods which seem necessary to success: The meaningless circulation of petitions, the harassing and long-drawn out primary campaign within the party, tending to disrupt and weaken the party, a great evil where government must proceed by parties, the enormous and disgraceful expenditure of money, all tending to corrupt public morals, lower and contaminate the political and pub-

lie ideals of youth—all this with reference to the questions that must touch every citizen, really the most momentous questions with which he has to do. Then must follow the campaign for the general election with all of the convulsions and disappointment and bitterness of the primary campaign carried over into it. The tendency of it all is to develop the demagogue, lower to debasement the tone of our political life, deprive the country of great leadership, inspired only by a desire for the common good, for a commonwealth that shall be an example and attract the admiration of the whole country—a leadership that is not based upon and which would scorn to appeal to the prejudices and want of vision of men, but which is on fire, with the great things of life which develop great citizenship and build states upon enduring foundations. Let this be called *Ideal*. It is the hope of America. In our smug contentment and great prosperity we dislike to be disturbed. But yonder is the distant day. Yonder is the great population of hundreds of millions. There lie the great questions of the future. We have had nothing like them yet. It is not too early to cry back to the people, back to them in their strong representative capacity where they can speak in their potent, discriminative, really democratic, selective, elective force, a thing which they do not and cannot now do.

Any system will have its imperfections and can be abused and has always been, because men are imperfect, selfish, ambitious. But calm, constructive thinking—the thought and foresight that has moved the world along in all the ways that have marked its advancement—in the ways that have developed beneficent governments has not been the thought of the multitude or the product of the multitudinous mind.

The tendency of our present system is to grow worse. Such has been the result. A new movement having the approval of great numbers brings with it a pride in its success which seems to start it well, but its inherent weakness is sure to develop. Hence it has come about that in more States than one, dead men have been voted for as candidates. In other instances men of notorious weakness in character and mind have polled thousands of votes for important State offices, putting the public service in actual peril—indeed there is a constant peril. Besides, it has been demonstrated that the less intelligent voters, those whose personal prejudices are most easily aroused, vote with the greatest unanimity. Thus an analysis of a primary vote in Michigan reveals the fact that “in the seven counties containing the most foreign-born and illiterate voters the republi-

can vote has been far above the percentage for the State, in the last three primaries exceeding the party membership; while in the seven counties containing the least such vote the percentage has been considerably below that for the state. In Detroit the vote in the four wards conceded to be the "worst" has always been markedly heavier than in the best wards and in 1914 the republican vote in the worst wards was over twice the party membership. The voting is quantitatively best where the electorate appears to be qualitatively worst." I think this would be found to be generally true under the primary system.

So far as the presidential preference primary law is concerned it has been rightly called a farce. It has already demonstrated that the people can and will actually trifle with the great question of selecting a president of the United States, voting in great numbers for men having absolutely no qualifications, natural or acquired, for the great office, and not claiming to have, and men of whom no candid, thoughtful citizen, anxious for his country's welfare, would ever think. This experience strikingly betrays the weakness and danger of the direct primary system.

The non-partisan judiciary law, as it stands, has also demonstrated its utter futility to effect its purpose. It has moved the judiciary *into* politics. It invites into a political game that has not one thing to commend it, but everything to condemn it. It starts the candidate for the office of judge out as a suppliant. He must appeal to people whom he may soon have before him as litigants and who have extended the helpful influence. If *he* rises into the region where the recollection of favors do not abide, those before him may be on a lower level where the memory is ever alert and suggestive. So far as it is humanly possible the judge should be placed beyond every suggestion or suspicion of bias. If he were nominated by a convention he would be very much farther, although not altogether, removed from this; but selecting himself as a candidate and appealing to the people, he is subjected to every sort of obligation and entanglement in the primary. The field is open for every mediocre to become a candidate. It invites to the arts of the demagogue to gain a judgeship. It may easily lead eventually to the loss of fitness, ability and courage on the bench.

It has been said of this matter by a great lawyer of nation-wide renown: "Those ripest in wisdom are not willing to engage in a campaign where the arts of the demagogue and the use of money are such potential factors; and we must make up our minds that

unless we withdraw our judicial nominations from these strenuous primaries, our judges, in time, will be our most skillful politicians rather than our most learned lawyers." This law ought to be repealed. The presidential preference law should be repealed. The office of judge should be appointive. It is so in every country on earth but Switzerland and the United States and is so in eight of our states.

While there may be and have been abuses under every system the opportunity and temptation ought to be made as difficult as possible. The trouble with the old caucus system which naturally aroused public indignation was, that it was not born of the law, was subjected to no regulation. Capable of being a sound basis for popular government it was, nevertheless, often made the instrument of unrestrained, self-interested, self-seeking, shrewdly designing men to compass selfish purposes and sometimes defeat the popular will. It was at the basis, yet was the weakest point in the whole party structure and movement. From it the people in disgust fled to the method I have been describing with which the public is now just as much disgusted. Is it not possible to devise a method of party procedure and government that will realize the distinctive purposes and genius of our form of government? It has not been done yet in its best sense. This is the question for this legislature. Once a believer in the direct primary, experience and reflection have forced me to the conclusions already expressed. My interest in the progress and future good government of this commonwealth forces me to recommend its repeal. Not an attempt to patch it up, for that would be unsatisfactory, but a start on a new basis.

I should like to see Iowa assume leadership back to true, popular, representative government. This legislature should provide a law for a primary in the township or precinct where all the voters can have a direct vote, at which all candidates for township or precinct offices could be nominated and, if deemed best, county officers. At this primary election delegates to the county convention and alternates should be elected and their election properly certified to the county convention. For this primary the law should fix a day for all parties, uniform throughout the state, strictly regulated as to notice, time of opening and closing, method of selecting judges and clerks, the right to participate, providing, perhaps, that ten days before, the voter should declare his party affiliation and that having once voted at a primary and thus fixed his party affiliation he could not vote in any other, unless thirty days prior he had filed a declara-

tion, under oath, of change of party affiliation; and providing also that no name of a candidate of one party could be written, printed or pasted upon the ballot of another under penalty of rejection of the ballot; and providing also the ratio of representation in the selection of delegates to the county convention, fixing the date of such convention and its time of meeting, uniform throughout the State, to nominate county officers, if not nominated at the township and precinct primary, and to nominate State representatives and to select delegates and alternates to senatorial, judicial and congressional conventions, fixing a uniform time throughout the state for holding them and selecting delegates and alternates to the state convention and fixing the time for holding it and declaring the ratio of representation to all these conventions. The delegates to all these conventions should be properly certified and be required to attend and no proxies should be permitted. In the case of absence or inability of a delegate to attend, an alternate to take his place, the law fixing the order in which alternates would be permitted to take the place of regular delegates, and no other persons should have any voice or vote in any convention. The law should also provide that these delegates and alternates should be regarded as officers, their tenure being from the time of their election until the next election of delegates so that in the event of need, any convention could be re-assembled on notice and another campaign and expense avoided. Under this kind of legalized procedure it is hard to see how there could be any of the old time manipulations, sharp practices and packing of caucuses and conventions and, in my judgment, it should be worked out and the principle and purpose developed as your combined wisdom may dictate. The legislative branch of the government should be made as strong as possible because its power is almost unlimited and I believe its candidates should be carefully selected by delegate conventions.

Another consideration, slight, however, in comparison with the reasons already given why the laws referred to should be repealed is the cost of the elections in Iowa.

IN MEMORIAM.

Since the adjournment of the last General Assembly the death of several of the most noted men in the history of the State has occurred. Each one of them was ripe in years and in long, valuable service to the commonwealth and the whole country as well. As a token of respect on the part of the State and as an expression

of the people's appreciation of their worth, example and service, I speak of them on this, an occasion of the people.

Major General Grenville M. Dodge died at Council Bluffs on the 3rd day of January, 1916. He was one of the most distinguished men in Iowa history. Not only in Iowa, but throughout the nation, he was distinguished as a great civil engineer and railway builder; as a commanding figure in the business world; as a leader of armies in the war for the Union; as a friend and counselor of many of the most noted public men in the country for half a century; as the sympathetic and wise adviser of all who might appeal to him; as devoted to his country and as having an ever-increasing love for Iowa—a life distinguished as consecrated to the highest ideals of American citizenship.

It is in the minds and hearts of the people of Council Bluffs to cause to be erected in that city which he called "Home" and where so many of the years of his life were passed, a monument in commemoration of his life and public service. Because his name was a familiar one throughout the whole country it has been suggested by the people of his home city, and I deem it a high privilege to recommend and urge, that this General Assembly provide promptly for the appointment of a commission to serve without expense to the State in the matter of providing for and erecting said monument. Because he was essentially and all his life a public character this purpose of the citizenship of Council Bluffs should have this public recognition and endorsement of the people of Iowa.

Hon. William Peters Hepburn died at Clarinda, Iowa, February 7th, 1916. He was a pioneer in the State. Sixty years ago he was county attorney of Marshall County and fifty-nine years ago was clerk of the House in the Seventh General Assembly. For three years he was district attorney for the 11th Judicial District, resigning that position to enter the Civil War. He distinguished himself as a soldier, being promoted from time to time until he was placed in command of the Second Brigade, Cavalry Division of the Sixteenth Army Corps, serving until the close of the war. After 1880 he served the people many years in congress from the Eighth Iowa District. His public service was a notable one and he will pass into Iowa history as a man of forceful character, strong in his convictions, a lawyer of ability, a splendid soldier, a great debater, devoted to his country.

Rev. Henry Wallace, died in the City of Des Moines, February 22nd, 1916. He was a scholar, teacher, preacher, editor, author, publisher, farmer, a friend of man interested in all benevolent enterprises, a helper of the world. The influence of Henry Wallace was greater even than that of very many very influential men. His work was equally and eminently successful in very many fields of activity. He was one of Iowa's most useful men and leaves a memory cherished by her entire citizenship.

Hon. Charles Clinton Nourse, died at his winter home in Sierra Madre, California, on the 31st day of December, 1916, at the age of eighty-seven years. Judge Nourse came to Iowa sixty-five years ago and during nearly all of that time was prominently connected with the legal, political and general development of the State. He was prosecuting attorney in his district in 1852, was Chief Clerk of the Iowa House of Representatives sixty-two years ago and Secretary of the Senate two years later, and fifty-four years ago was Attorney-General of the State and a little later a judge of the District Court. He was long an active practitioner of the law in central Iowa with his home in Des Moines. His distinction was as eminent lawyer, politician in the best sense, orator and excellent high-minded citizen.

CONCLUSION.

Now I come to the conclusion of my term of service in a public capacity for the people of Iowa. It has been a measureably long one in different positions.

I have made mistakes. They are as apparent to me as they are to the people. But on the whole the people are generous and kind. I have had what is no doubt the usual experience. I have known the pleasurable feeling and encouragement that sympathy and approbation bring and I have known, also, the severity of disapprobation and I have felt the keen, rapier thrusts of bitter criticism. I beg to say that these last were soon out of my mind and I have nothing today in my heart but gratitude to all of the people and an inspiring hope for the increasing growth of the greatness of the State and the constant improvement of her moral and political life and ideals. Men come and go and so, officially, the record is closed and with every good wish and hope it is mine to say, Good-bye.



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